BEST AVAILABLE COPY PAGE 316 * RCVD AT 1112012004 3:24:42 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-113 * DNIS:8729306 * CSID:336 632 2012 * DURATION (mm-ss):01-26

AMENDMENTS TO THE CLAIMS

Claim 1. (Currently Amended) Compound of formula

$$R_{a} (O)_{q}$$

$$CH_{2} N R_{3}$$

$$(I),$$

wherein

R₁ and R₂, independently of one another, are halogen, C₁-C₆-alkyl, C₃-C₆cyclbalkyl, halogen-C₁-C₆-alkyl, halogen-C₃-C₆-cycloalkyl, C₂-C₄-alkenyl, C₂-\$\bar{\mathbf{c}}_4\text{-alkinyl, halogen-C₂-C₄-alkenyl, halogen-C₂-C₄-alkinyl, \$\Phi_1\text{-C}_6\text{-alkoxy,}\$ haldgen-C₁-C₆-alkoxy, C₂-C₆-alkenyloxy, C₂-C₆-alkinyloxy, haldgen-C2-C6-alkenyloxy, halogen-C2-C6-alkinyloxy, -SF5, -C(=O)N(R5)2, $-O-\Phi(=O)N(R_5)_2$, -CN, $-NO_2$, $-S(=O)_2N(R_5)_2$, $-S(=O)_p-C_1-C_6-alkyl$, -S(=O)_p-halogen-C₁-C₆-alkyl, -O-S(=O)_p-C₁-C₆-alkyl, -O-S(=O)_p-halogen- C_1 - Φ_6 -alkyl, phenyl, benzyl, phenoxy or benzyloxy, wherein each of the phehyl, benzyl, phenoxy or benzyloxy radicals is either unsubstituted or morlo- to penta-substituted in the aromatic ring, independently of each other, by substituents selected from the group consisting of halogen, cyano, NO2. C_1 - Φ_6 -alkyl, halogen- C_1 - C_6 -alkyl, C_1 - C_6 -alkoxy and halogen- C_1 - C_6 -alkoxy; R₃ is hydrogen, OH, halogen, C₁-C₆-alkoxy, or -O-C(=O)-C₁-C₆-alkyl; R4 is phenyl, which is mono-substituted by substituents selected from the group consisting of phenyl, benzyl, phenoxy, benzyloxy, heterocyclyl and heterocyclyloxy, wherein, depending on the substitution possibility on the ring, the heterocyclyl and heterocyclyloxy radicals are optionally mono- to trisubstituted by substituents selected from the group consisting of halogen, C_1 - Φ_6 -alkyl, halogen- C_1 - C_6 -alkyl, C_1 - C_6 -alkoxy, halogen- C_1 - C_8 -alkoxy,

the two R₅ independently of one another, are hydrogen or C₁-C₆-alkyl;

C₃-C₆-cycloalkyl-C₁-C₆-alkyl, cyano-C₁-C₆-alkyl, C₃-C₆-alkenyl, C₃-C₆-alkinyl,

phehyl or benzyl;

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- m is 0, 1, 2, 3, 4 or 5;
- n is 0, 1, 2, 3, 4 or 5;
- p is 0, 1 or 2;
- q is 0 or 1

and if appropriate, the E/Z isomers, E/Z isomeric mixtures and/or tautomers thereof, each in free form or in salt form;

Claim 2. (Original) A compound of formula (I) according to claim 1, in free form.

Claim 3. (Previously Presented) A compound of formula (I) according to claim 1, wherein R₁ and R₂, independently of each other, are halogen, C₁-C₂-alkyl, C₃-C₆-cycloalkyl, halogen-C₁-C₂-alkyl, C₁-C₂-alkoxy, halogen-C₁-C₂-alkoxy, -C(=O)N(CH₃)₂, -CN or -NO₂.

Claim 4. (Previously Presented) A compound of formula (I) according to claim 1, in which R₃ is hydrogen, OH, halogen or C₁-C₆-alkoxy.

Claim 5. (Cancelled)

Claim 6. (Previously Presented) An insecticidal and acaricidal composition comprising one or more compounds of formula (I) according to claim 1 as active ingredient, either in free form or in the form of an agrochemically acceptable salt, and at least one adjuvant.

Claim 7. (Withdrawn) Method of producing a composition as described in claim 6, in which the active ingredient is intimately mixed with the adjuvant(s).

Claim 8. (Previously Presented) A method for the control of insects and representatives of the order Acarina in which a compound of formula (i) according to claim 1 as the active ingredient is applied, in free form or optionally in the form of an agrochemically acceptable salt, to insects and

PAGE 516 * RCVD AT 11/30/2004 3:24:42 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-113 * DNIS:8729306 * CSID:336 632 2012 * DURATION (mm-ss):01-26 representatives of the order Acarina, or their habitat, in an amount of 1 to 2000 g per hectare. Claim 9. (Cancelled)

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